

JUDGE KRAM

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA :

-v.- :

SAMUEL J. BRANTLEY, :

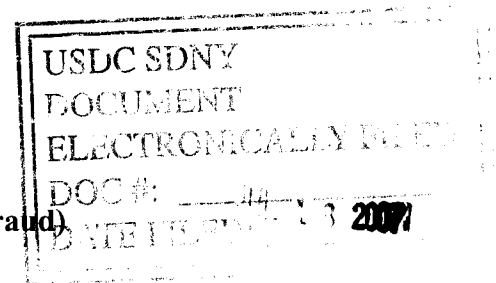
Defendant. :

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07 CRIM 650
07 Cr.

COUNT ONE

(Conspiracy to Commit Wire Fraud)



The United States Attorney charges:

The Relevant Parties and Entities

1. At all times relevant to this Information, SAMUEL J. BRANTLEY, the defendant, was an attorney licensed to practice law in Georgia.

2. At all times relevant to this Information, Adlex-Bent Corporation ("Adlex") and Annuity Coeptis, LCB ("Annuity") were shell companies located in Florida that allegedly had been assigned the right to collect on a number of oil contracts in Africa that were allegedly worth hundreds of millions of dollars.

3. At all times relevant to this Information, Emil Scheringer, a co-conspirator not named as a defendant herein, represented himself to be a principal of both Adlex and Annuity.

4. At certain times relevant to this Information, Delmer Gowing, a co-conspirator not named as a defendant herein, induced investors to invest money in Emil Scheringer's companies and controlled bank accounts into which invested funds were sent, deposited and disbursed as part of the fraud scheme.

The Scheme to Defraud

5. From in or about 2000 through in or about April 2004, SAMUEL J. BRANTLEY, the defendant, participated in a scheme to defraud with Emil Scheringer and Delmer Gowing, co-conspirators not named as defendants herein. The scheme defrauded numerous investors who were induced to invest money based on false claims that their funds were required to clear up legal impediments to the collection of millions of dollars from oil contracts in Africa.

6. At all times relevant to this Information, Emil Scheringer claimed to investors and prospective investors that Adlex and Annuity were the assignees of completed oil contracts in Africa that had not yet been paid, and that legal impediments such as outstanding taxes and attorney's fees prevented collection of the proceeds of these contracts. Scheringer promised investors and prospective investors that once the legal impediments were cleared up, the contracts would provide payouts of up to hundreds of millions of dollars, and the investors would at least triple the amounts they had invested within approximately one year's time.

7. At all times relevant to this Information, SAMUEL J. BRANTLEY, the defendant, controlled attorney escrow accounts located in Fayetteville, Georgia. Emil Scheringer arranged for investors' funds to be transferred to these attorney escrow accounts, and for BRANTLEY to transfer the majority of the funds to accounts designated by Scheringer. BRANTLEY received commissions for receiving and transferring investors' funds.

8. At various times relevant to this Information, Emil Scheringer instructed SAMUEL J. BRANTLEY, the defendant, to transfer investor funds to Scheringer and his family members to pay for Scheringer's and Scheringer's family's personal expenses.

9. Payouts on the purported oil contracts have never occurred, and investors who invested with Emil Scheringer have not obtained any returns on their investments.

Statutory Allegations

10. From in or about 2000 through in or about April 2004, in the Southern District of New York and elsewhere, SAMUEL J. BRANTLEY, the defendant, Emil Scheringer and Delmer Gowing, co-conspirators not named as defendants herein, and others known and unknown, unlawfully, willfully, and knowingly combined, conspired, confederated, and agreed together to commit an offense against the United States of America, to wit, to violate Title 18, United States Code, Section 1343.

11. It was a part and an object of the conspiracy that SAMUEL J. BRANTLEY, the defendant, Emil Scheringer and Delmer Gowing, co-conspirators not named as defendants herein, and others known and unknown, unlawfully, willfully, and knowingly, having devised and intending to devise a scheme and artifice to defraud, and for obtaining money and property by means of false and fraudulent pretenses, representations, and promises, would and did transmit and cause to be transmitted by means of wire communication in interstate and foreign commerce writings, signs, signals, pictures, and sounds for the purpose of executing such scheme and artifice, in violation of Title 18, United States Code, Section 1343.

Means and Methods of the Conspiracy

12. Among the means and methods by which SAMUEL J. BRANTLEY, the defendant, Emil Scheringer and Delmer Gowing, co-conspirators not named as defendants herein, and others known and unknown would and did carry out the conspiracy were the following:

a. Scheringer made misrepresentations to investors and prospective investors to induce them to invest money purportedly to clear up legal impediments to the collection of proceeds of oil contracts in Africa. Based on these misrepresentations, Scheringer induced numerous investors to invest millions of dollars, principally by means of wire transfers.

b. Schering directed investors to make the wire transfers to attorney escrow accounts held by BRANTLEY. BRANTLEY, in turn, wrote checks drawn on, and caused wire transfers to be made from, these accounts, which were used to pay, among other things, commissions to BRANTLEY and the personal expenses of Schering and Schering's family.

c. BRANTLEY, Schering, and their co-conspirators used facilities in interstate and foreign commerce, including interstate and foreign telephone calls, facsimiles, and wire transfers, in furtherance of the object of the conspiracy.

Overt Acts

13. In furtherance of the conspiracy and to effect its illegal object, SAMUEL J. BRANTLEY, together with others known and unknown committed the following overt acts, among others, in the Southern District of New York and elsewhere:

a. On or about July 13, 2000, BRANTLEY caused to be transmitted by wire approximately \$112,000 from an account at First Union National Bank in Fayetteville, Georgia to HSBC in New York, New York.

b. On or about July 13, 2000, BRANTLEY caused to be transmitted by wire approximately \$440,000 from an account at First Union National Bank in Fayetteville, Georgia to Bankers Trust Company in New York, New York.

c. On or about August 15, 2000, BRANTLEY caused to be transmitted by wire, in two separate transfers, approximately \$255,000 and \$260,000 from an account at First Union National Bank in Fayetteville, Georgia to Bankers Trust Company in New York, New York.

d. On or about March 24, 2002, Emil Schering, a co-conspirator not named as a defendant herein, sent via facsimile to BRANTLEY disbursement instructions for approximately \$60,000 that BRANTLEY received into an account he controlled the following day.

e. On or about March 27, 2002, based on Scheringer's instructions, BRANTLEY transferred a portion of that approximately \$60,000 to Scheringer's wife.

f. On or about May 20, 2002, Scheringer sent via facsimile to BRANTLEY disbursement instructions for approximately \$30,000 that BRANTLEY received into an account he controlled two days later.

g. Between on or about May 22 and May 29, 2002, based on Scheringer's instructions, BRANTLEY transferred portions of that approximately \$30,000 to Scheringer's wife and son.

h. On or about January 14, 2003, based on Scheringer's instructions, BRANTLEY caused to be transmitted by wire approximately \$18,500 to an account in the name of Scheringer's wife.

i. On or about April 20, 2004, based on Scheringer's instructions, BRANTLEY caused to be transmitted by wire approximately \$9,000 to an account in the name of Delmer Gowing, a co-conspirator not named as a defendant herein.

(Title 18, United States Code, Section 1349.)



MICHAEL J. GARCIA **JSR**
United States Attorney

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SAMUEL BRANTLEY,

Defendant.

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(Title 18, United States Code,
Section 1349)

MICHAEL J. GARCIA
United States Attorney.
